IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 961 OF 2002

Shri Sayyed Samsher Hussain Shibte Hasan @ Shammu Tailor ..Petitioner.

V/s.

The State of Maharashtra & Ors. ..Respondents.

Shri G.S. Vaidya for the Petitioner (Absent).
Shri R.Y. Mirza,APP for the Respondent No.1-State.

CORAM : A.M.KHANWILKAR, J.
DATED : MARCH 03, 2005

PC :-

1. This petition takes exception to the externment order passed on 26th March, 2002 by the competent authority against the petitioner. The petitioner has suffered externment period partly. This court while entertaining the present petition, granted interim relief on 23rd August, 2002. Due to efflux of time, the purpose for which the externment order was issued has come to an end.

2. Hence, this petition is disposed of with direction that the remaining period of externment shall not be enforced against the petitioner. All other questions are left open. This course is adopted

in view of the judgement of the Apex Court in the case of Baby Naaz vs. Union of India, reported in 1990 (Supp) Supreme Court Cases, page-163 (II).

3. Ordered accordingly.

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